

**Fill in this information to identify the case:**

United States Bankruptcy Court for the:

Southern District of New York  
(State)

Case number (if known): Chapter 15

☐ Check if this is an amended filing

**Official Form 401**

**Chapter 15 Petition for Recognition of a Foreign Proceeding**

12/15

If more space is needed, attach a separate sheet to this form. On the top of any additional pages, write debtor's name and case number (if known).

1. Debtor's name Winsway Enterprises Holdings Limited f/k/a Winsway Coking Coal Holdings Limited

2. Debtor's unique identifier

**For non-individual debtors:**

☐ Federal Employer Identification Number (EIN) -

☐ Other Describe identifier

**For individual debtors:**

☐ Social Security number: XXX - XX -

☐ Individual Taxpayer Identification number (ITIN): 9 XX - XX -

☐ Other Describe identifier

3. Name of foreign representative(s) Cao Xinyi

4. Foreign proceeding in which appointment of the foreign representative(s) occurred Hong Kong

5. Nature of the foreign proceeding

Check one:

- ☐ Foreign main proceeding  
☒ Foreign nonmain proceeding  
☐ Foreign main proceeding, or in the alternative foreign nonmain proceeding

6. Evidence of the foreign proceeding

- ☐ A certified copy, translated into English, of the decision commencing the foreign proceeding and appointing the foreign representative is attached.  
☐ A certificate, translated into English, from the foreign court, affirming the existence of the foreign proceeding and of the appointment of the foreign representative, is attached.  
☒ Other evidence of the existence of the foreign proceeding and of the appointment of the foreign representative is described below, and relevant documentation, translated into English, is attached.  
Convening order of the High Court of the Hong Kong Special Administrative Region and resolution appointing foreign representative

7. Is this the only foreign proceeding with respect to the debtor known to the foreign representative(s)?

- ☒ No. (Attach a statement identifying each country in which a foreign proceeding by, regarding, or against the debtor is pending.)  
☐ Yes



Debtor Winsway Enterprises Holdings Limited f/k/a  
Winsway Coking Coal Holdings Limited  
Name

Case number (if known)

8. Others entitled to notice

Attach a list containing the names and addresses of:

- (i) all persons or bodies authorized to administer foreign proceedings of the debtor,
- (ii) all parties to litigation pending in the United States in which the debtor is a party at the time of filing of this petition, and
- (iii) all entities against whom provisional relief is being sought under § 1519 of the Bankruptcy Code.

9. Addresses

Country where the debtor has the center of its main interests:

People's Republic of China

Debtor's registered office:

24 De Castro Street

Number Street

Wickhams Cay 1

P.O. Box

Road Town Tortola

City State/Province/Region ZIP/Postal Code

British Virgin Islands

Country

Individual debtor's habitual residence:

Address of foreign representative(s):

Number Street

10 Hongdazhonglu

Number Street

P.O. Box

Business Development Area

P.O. Box

City State/Province/Region ZIP/Postal Code

Beijing BEJ 100176

City State/Province/Region ZIP/Postal Code

Country

People's Republic of China

Country

10. Debtor's website (URL)

<http://www.winsway.com/html/index.php>

11. Type of debtor

Check one:

☒ Non-individual (check one):

☒ Corporation. Attach a corporate ownership statement containing the information described in Fed. R. Bankr. P. 7007.1.

☐ Partnership

☐ Other. Specify: \_\_\_\_\_

☐ Individual



Debtor Winsway Enterprises Holdings Limited f/k/a  
Winsway Coking Coal Holdings Limited

Case number if known

12 Why is venue proper in this district?

Check one

- ☐ Debtor's principal place of business or principal assets in the United States are in this district
- ☐ Debtor does not have a place of business or assets in the United States, but the following action or proceeding in a federal or state court is pending against the debtor in this district
- ☒ If neither box is checked, venue is consistent with the interests of justice and the convenience of the parties, having regard to the relief sought by the foreign representative, because Debtor holds assets in this district

13 Signature of foreign representative(s)

I request relief in accordance with chapter 15 of title 11, United States Code

I am the foreign representative of a debtor in a foreign proceeding, the debtor is eligible for the relief sought in this petition, and I am authorized to file this petition

I have examined the information in this petition and have a reasonable belief that the information is true and correct

I declare under penalty of perjury that the foregoing is true and correct.

X

Signature of foreign representative

Cao Xinyi

Printed name

Executed on

April 6, 2016  
MM / DD / YYYY

X

Signature of foreign representative

Printed name

Executed on

MM / DD / YYYY

14 Signature of attorney

X

Signature of Attorney for foreign representative

Date

April 6, 2016  
MM / DD / YYYY

Michael J. Venditto

Printed name

Reed Smith LLP

Firm name

599 Lexington Avenue

Number

Street

New York

City

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10022

State

ZIP Code

212-205-6081

Contact phone

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1170265

Bar number

NY

State



**STATEMENT IDENTIFYING EACH COUNTRY IN WHICH A FOREIGN  
PROCEEDING BY, REGARDING, OR AGAINST THE DEBTOR IS PENDING**

**Hong Kong S.A.R:** High Court of the Hong Kong Special Administrative Region, Court of First Instance. Miscellaneous Proceedings No. 453 of 2016

**British Virgin Islands:** Eastern Caribbean Supreme Court, High Court of Justice, Virgin Islands Commercial Division. Claim No. BVI HCV(COM) 31 of 2016